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OFFICE OF PETITIONS

In re Application of :
Bovin et al. :
Application No. 10/593,829 : **ON PETITION**
Filed: January 12, 2007 :
Attorney Docket No. 5366-7 :

This is a decision on the petition under 37 CFR 1.181, filed May 19, 2011, requesting the withdrawal of the holding of abandonment in the above-identified application and has been so treated.

The petition to withdraw the holding of abandonment is **GRANTED**.

The above-identified application was held abandoned for failure to timely reply to the Notice of Allowance, mailed January 31, 2011, which set a statutory period for reply of three (3) months. A reply was due on or before May 2, 2011. A Notice of Abandonment was mailed on May 16, 2011.

Petitioner states that the reply was in fact timely filed. Petitioner states, "As evidenced by the attached USPTO acknowledgement post card receipt dated May 2, 2011 (Monday), indicates that the Issue Fee, Publication Fee and fee for Patent copies in the amount of \$1822.00 (large entity rate) was paid on May 2, 2011."

A review of the application shows receipt of the Issue Fee Transmittal, along with a Notice with Regard to Small Entity Status, on May 2, 2011. The Notice includes an itemization of the deficiency payment and including the \$1510.00 issue fee, \$300.00 publication and \$12.00 patent copies fee. USPTO financial records corroborate the payment of \$4237.00 cited in the Notice. Accordingly, in view of the above, the requisite issue and publication fees were timely paid.

The holding of abandonment is hereby withdrawn and the application restored to pending status. A petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 does not require a fee and none has been charged.

This matter is being referred to the Office of Data Management for processing into a patent.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions